

Attorney Docket No: U017 (BPAY.0040000)

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of Robinson et al.

Serial No.: 10/829,448

Examiner: Pierre E. Elisca

Confirmation No.: 6320

Art Unit: 3621

Filed: 4/22/2004

For: A SYSTEM AND METHOD FOR BIOMETRICALLY-INITIATED REFUND
TRANSACTIONS

Commissioner for Patents
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §1.97(c)**

In accordance with the duty of disclosure set forth in 37 C.F.R. §1.56, Applicant(s)
hereby submits the following information in conformance with 37 C.F.R. §1.97 and 1.98.

- ☒ Pursuant to 37 C.F.R. §1.98, a copy of document B14 cited in the attached Form PTO/SB/08A is enclosed.
- ☒ Pursuant to the U.S. Patent and Trademark Office's waiver of 37 C.F.R. §1.98(a)(2)(i) for applications filed after June 30, 2003, no copies of U.S. patents and patent applications cited in the attached Form PTO/SB/08 are being provided.
- ☒ No copies of documents B1-B13 listed on the attached Form PTO/SB/08A are being provided pursuant to 37 C.F.R. §1.98(d) because the publications were previously cited by or submitted to the Office in prior Application Serial No. 10/251,305, filed September 20, 2002, to which the above-identified application claims priority under 35 U.S.C. §120.
- ☐ Publication(s) ___ listed on the attached Form PTO/SB/08A were cited in a foreign search or examination report corresponding to ___ application serial no. ___ and mailed on ___.
- ☐ Enclosed is a copy of a non-English publication(s) ___. Pursuant to §609 of the M.P.E.P., Applicant submits the attached foreign search or examination report, which cites such non-English language publication(s).

12/08/2004 NNGUYEN1 00000028 10829448

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- ☐ Enclosed is a copy of a non-English publication(s) ____ English language publication ____ (copy enclosed) claims priority from this non-English publication.
- ☐ Enclosed is an explanation of non-English publication(s) ____ for which an English translation is not available.
- ☐ Enclosed is an English translation of non-English publication(s) ____ cited in the attached Form PTO/SB/08A.
- ☒ The Examiner's attention is directed to co-pending patent Application Serial No. 60/324,229, filed September 21, 2001, Application Serial No. 10/251,305, filed September 20, 2002, Application Serial No. 10/369,235, filed February 19, 2003, Application Serial No. 10/464,148, filed June 18, 2003, Application Serial No. 10/625,045, filed July 23, 2003, Application Serial No. 10/678,646, filed October 6, 2003, Application Serial No. 10/725,394, filed December 3, 2003, Application Serial No. 10/743,189, filed December 22, 2003, Application Serial No. 10/861,864, filed June 7, 2004, and Application Serial No. 10/840,784, filed May 7, 2004, which is directed to related technical subject matter. The identification of this U.S. Patent Application is not to be construed as a waiver of secrecy as to that application now or upon issuance of the present application as a patent. The Examiner is respectfully requested to consider the cited application and the art cited therein during examination of the present application.

This Information Disclosure Statement is filed after the period specified in 37 C.F.R. § 1.97(b), but before the mailing of a final action under 37 C.F.R. §1.113; a notice of allowance under 37 C.F.R. §1.311; or an action that otherwise closes prosecution in this application.

In accordance with 37 C.F.R. §1.97(c) also enclosed is:

- ☒ Fee under 37 C.F.R. §1.17(p) in the amount of \$180.00; or
- ☐ Statement as specified in 37 C.F.R. §1.97(e):
 - ☐ Each item of information contained in the Information Disclosure Statement cited herein was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing date of the Information Disclosure Statement; or
 - ☐ No item of information contained in the Information Disclosure Statement submitted herewith was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned, having made a reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to any individual designated in 37 C.F.R. §1.56(c) more than three months prior to the filing date of the Information Disclosure Statement.

It is respectfully requested that the Examiner consider the above-noted information and return an initialed copy of the attached Form PTO/SB/08A to the undersigned.

Dated: 12/7/04

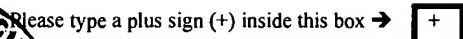
Law Office of Duane S. Kobayashi
1325 Murray Downs Way
Reston, VA 20194
Tel: 703-464-7902
Fax: 703-935-0276

Respectfully submitted,

By:

A handwritten signature in black ink, appearing to be 'Duane S. Kobayashi', written over a horizontal line.

Duane S. Kobayashi
Reg. No. 41122



Substitute for form 1449A/PTO

(use as many sheets as necessary)

Sheet	1	of	5
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Complete if Known

Application Number	10/829,448
Filing Date	4/22/2004
First Named Inventor	ROBINSON ET AL.
Group Art Unit	3621
Examiner Name	Pierre E. Elisca
Attorney Docket Number	U017 (BPAY.0040000)

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-YYYY
		Number	Kind Code ² (if known)		
	A1	D425800		Shin	05/2000
	A2	20040143505		Kovach	07/2004
	A3	20040088295		Glazer, et al.	05/2004
	A4	20040054587		Dev et al.	03/2004
	A5	20030236704		Antonucci	12/2003
	A6	20030229790		Russell, William	12/2003
	A7	20030229540		Algiene	12/2003
	A8	20030229539		Algiene	12/2003
	A9	20030216967		Williams	11/2003
	A10	20030191709		Elston, Stephen et al.	10/2003
	A11	20030090473		Joshi, Vikas B.	05/2003
	A12	20030055727		Walker et al.	03/2003
	A13	20030034876		Pucheck et al.	02/2003
	A14	20030018522		Denimarck, et al.	01/2003
	A15	20030009393		Norris	01/2003
	A16	20030009382		D'Arbeloff et al.	01/2003
	A17	20030006277		Maskatiya, Vali et al.	01/2003
	A18	20020196963		Bardwell, William E.	12/2002
	A19	20020194128		Maritzen, et al.	12/2002
	A20	20020162031		Levin et al.	10/2002
	A21	20020161629		Jentoft, Keith	10/2002

FOREIGN PATENT DOCUMENTS

[illegible]Examiner
SignatureDate
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number.

² See attached Kinds of U.S. Patent Documents.

³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3).

⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible.

⁶ Applicant is to place a check mark here if English language Translation is attached

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PTO/SB/08A (08-00)

Substitute for form 1449B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>				Complete if Known		
				Application Number		10/829,448
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		Number	Kind Code ⁸ (if known)		
	A22	20020148892		Bardwell, William E.	10/2002
	A23	20020128851		Chefalas et al.	09/2002
	A24	20020116266		Marshall, Thaddeus	08/2002
	A25	20020112177		Voltmer et al.	08/2002
	A26	20020094111		Pucheck et al.	07/2002
	A27	20020087413		Mahaffy et al.	07/2002
	A28	20020077902		Marcus, Dwight	06/2002
	A29	20020077890		LaPointe, Patrick L. et al.	06/2002
	A30	20020077889		Kolls	06/2002
	A31	20020062249		Iannacci, Gregory	05/2002
	A32	20020038165		McHale, John T. IV et al.	03/2002
	A33	20020029196		Metcalf et al.	03/2002
	A34	20020019811		Lapsley, Philip D. et al.	02/2002
	A35	20010042022		Kirkpatrick et al.	11/2001
	A36	20010034609		Dovolis, Gregg J.	10/2001
	A37	20010025245		Flickinger et al.	09/2001
	A38	20010011680		Soltesz, John et al.	08/2001
	A39	6,748,365		Quinlan et al.	06/2004
	A40	6,695,206		Ross	02/2004
	A41	6,655,585		Shinn	12/2003
	A42	6,647,372		Brady, et al.	11/2003
	A43	6,636,973		Novoa, et al.	10/2003
	A44	6,554,705		Cumbers	04/2003
	A45	6,539,282		Metcalf et al.	03/2003
	A46	6,529,878		De Rafael et al.	03/2003
	A47	6,529,871		Kanevsky et al.	03/2003
	A48	6,523,741		DiMaria et al.	02/2003
	A49	6,522,772		Morrison et al.	02/2003
	A50	6,497,360		Schulze	12/2002
	A51	6,496,595		Pucheck et al.	12/2002
	A52	6,477,509		Hammons et al.	11/2002
	A53	6,470,233		Johnson, Jr.	10/2002
	A54	6,466,917		Goyal et al.	10/2002
	A55	6,463,127		Maier et al.	10/2002
	A56	6,446,044		Luth et al.	09/2002
	A57	6,433,818		Steinberg et al.	08/2002
	A58	6,424,249		Houvener	07/2002
	A59	6,422,464		Terranova	07/2002
	A60	6,415,262		Walker et al.	07/2002
	A61	6,397,198		Hoffman, et al.	05/2002
	A62	6,397,126		Nelson	05/2002
	A63	6,389,401		Kepecs	05/2002
	A64	6,381,344		Smithies et al.	04/2002

Examiner Signature	Date Considered
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

⁷ Unique citation designation number.

⁸ See attached Kinds of U.S. Patent Documents

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		Number	Kind Code ¹⁰ (if known)		
	A65	6,370,649		Angelo et al.	04/2002
	A66	6,366,682		Hoffman, et al.	04/2002
	A67	6,345,263		Matsumoto et al.	02/2002
	A68	6,341,169		Cadorette, Jr. et al.	01/2002
	A69	6,334,109		Kanevsky et al.	12/2001
	A70	6,332,134		Foster	12/2001
	A71	6,330,543		Kepecs	12/2001
	A72	6,327,573		Walker et al.	12/2001
	A73	6,321,339		French et al.	11/2001
	A74	6,314,169		Schelberg, Jr. et al.	11/2001
	A75	6,310,966		Dulude et al.	10/2001
	A76	6,307,956		Black	10/2001
	A77	6,307,955		Zank et al.	10/2001
	A78	6,282,658		French et al.	08/2001
	A79	6,269,348		Pare, Jr. et al.	07/2001
	A80	6,246,751		Bergl et al.	06/2001
	A81	6,233,564		Schulze, Jr.	05/2001
	A82	6,230,148		Pare, Jr. et al.	05/2001
	A83	6,222,914		McMullin	04/2001
	A84	6,196,460		Shin	03/2001
	A85	6,192,142		Pare, Jr. et al.	02/2001
	A86	6,181,807		Setlak, et al.	01/2001
	A87	6,175,922		Wang, Ynjiun	01/2001
	A88	6,161,090		Kanevsky et al.	12/2000
	A89	6,161,059		Tedesco et al.	12/2000
	A90	6,154,879		Pare, Jr. et al.	11/2000
	A91	6,148,091		DiMaria	11/2000
	A92	6,119,932		Maloney et al.	09/2000
	A93	6,094,632		Hattori	07/2000
	A94	6,092,192		Kanevsky et al.	07/2000
	A95	6,070,147		Harms et al.	05/2000
	A96	6,070,141		Houvener et al.	05/2000
	A97	6,061,660		Eggleston et al.	05/2000
	A98	6,040,783		Houvener et al.	03/2000
	A99	6,012,039		Hoffman et al.	01/2000
	A100	6,009,411		Kepecs	12/1999
	A101	5,984,366		Priddy	11/1999
	A102	5,982,914		Lee et al.	11/1999
	A103	5,943,423		Muftic	08/1999
	A104	5,933,816		Zeanah et al.	08/1999
	A105	5,930,804		Yu et al.	07/1999
	A106	5,927,544		Kanoh et al.	07/1999
	A107	5,914,472		Foladare et al.	06/1999

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		Number	Kind Code ¹² (if known)		
	A108	5,897,616		Kanevsky et al.	04/1999
	A109	5,893,075		Plainfield , et al.	04/1999
	A110	5,872,834		Teitelbaum	02/1999
	A111	5,870,723		Pare. Jr. et al.	02/1999
	A112	5,864,623		Messina et al.	01/1999
	A113	5,850,442		Muftic	12/1998
	A114	5,845,256		Pescitelli et al.	12/1998
	A115	5,838,812		Pare. Jr. et al.	11/1998
	A116	5,832,464		Houvener et al.	11/1998
	A117	5,805,719		Pare. Jr. et al.	09/1998
	A118	5,802,199		Pare. Jr. et al.	09/1998
	A119	5,799,092		Kristol, et al.	08/1998
	A120	5,790,785		Klug et al.	08/1998
	A121	5,790,674		Houvener et al.	08/1998
	A122	5,764,789		Pare. Jr. et al.	06/1998
	A123	5,745,598		Shaw et al.	04/1998
	A124	5,737,439		Lapsley et al.	04/1998
	A125	5,722,526		Sharrard	03/1998
	A126	5,696,739		Chang	12/1997
	A127	5,688,974		Devine, et al.	11/1997
	A128	5,679,938		Templeton et al.	10/1997
	A129	5,657,389		Houvener	08/1997
	A130	5,615,217		Horne et al.	03/1997
	A131	5,613,012		Hoffman et al.	03/1997
	A132	5,602,933		Blackwell et al.	02/1997
	A133	5,598,474		Johnson	01/1997
	A134	5,594,806		Colbert	01/1997
	A135	5,581,630		Bonneau, Jr.	12/1996
	A136	5,523,551		Scott	06/1996
	A137	5,485,510		Colbert	01/1996
	A138	5,483,601		Faulkner	01/1996
	A139	5,450,980		Laidlaw	09/1995
	A140	5,386,104		Sime	01/1995
	A141	5,352,876		Watanabe et al.	10/1994
	A142	5,280,527		Gullman, et al.	01/1994
	A143	4,995,081		Leighton et al.	02/1991
	A144	4,915,205		Reid et al.	04/1990
	A145	4,879,747		Leighton et al.	11/1989
	A146	4,716,593		Hirai et al.	12/1987
	A147	4,553,222		Kurland , et al.	12/1985
	A148	4,359,631		Lockwood , et al.	11/1982
	A149	4,230,214		Cortez	10/1980

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Sheet	5	of	5	Attorney Docket Number	U017 (BPAY.0040000)

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS				
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²	
	B1	S. Davies. Touching Big Brother. How Biometric Technology Will Fuse Flesh and Machine. Information Technology & People. Vol. 7 (4) 1994		
	B 2	Lawrence Aragon. Show me some ID. PC Week Online (http://www.zdnet.com/pcweek/0112/12bio.html) Jan. 1998		
	B 3	Gerald Lazar. Agencies Scan Biometrics for Potential Applications. FCW.com (http://www.fcw.com.pubs.few.1997/0120/feature.htm) Jan. 1997		
	B 4	Comparison of Biometric Identification Methods. http://www.and.nl/id/gen_biom.html . Dec. 1998		
	B 5	The Speech Recognition API (SRAPI) Committee Announces Support for Speaker Verification. http://www.srapr.com/svapipr.html . Oct. 1996		
	B 6	New Technology Enables Computers to Identify, Verify User Voices. http://www.srapr.com/savpi/pr041597.html . Apr. 1997		
	B 7	Accounting 5544. Biometric Technology. http://acctserver.cob.vt.edu/faculty.jhicks/acct5544/present/ddeverea.htm . Apr. 1997		
	B 8	VAULT FAQs. http://www.ImagineNation.com/Xanadu/Vault . Jun. 1997		
	B 9	John Daugman. The Scientific Basis for Iris Recognition. http://www.iriscan.com/basis.htm . Dec. 1998		
	B 10	Electronic Banking 1. http://www.sjb.co.uk/eb1.html . Aug. 1998		
	B 11	Biometric Technology Today (Btt). Vol. 6(5) Sep. 1998		
	B 12	Biometric Digest. Mar. 1998		
	B 13	Biometrics in Human Services. Vol. 2(1) Feb. 1998		
	B 14	"The Biometric Bar Tab Project." http://www.csee.wyu.edu/~wise/biometric/index.htm , including December 9, 2002 Proposal and May 5, 2003 Team Report.		

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